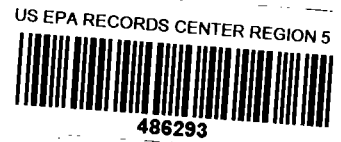




UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5  
77 WEST JACKSON BOULEVARD  
CHICAGO, IL 60604-3590

MAR 21 2001



BY FACSIMILE AND  
CERTIFIED MAIL/RETURN RECEIPT REQUESTED

REPLY TO THE ATTENTION OF:

C-14J

Swift Ag Chemical Co.  
c/o: Marian Whiteman, Esq.,  
Environmental Counsel  
IMC Global Operations, Inc.  
100 South Saunders Rd. - Ste. 300  
Lake Forest, IL 60045

**Re: Swift Ag Chemical Company Superfund Site, 2501 North Kings Highway, Fairmont City, IL (St. Clair County) - Access**

Dear Ms. Whiteman:

The United States Environmental Protection Agency (U.S. EPA), according to the Superfund statute at 42 United States Code (USC) Section 9604(e), is authorized to ask your client for access to the Swift Ag Chemical Company Superfund Site property (the Site) at 2501 North Kings Highway, Fairmont City, IL (St. Clair County), in order to perform a Site assessment and possibly a clean up of the Site property.

I am enclosing (by mail) two (2) copies of a consent for access agreement for your client's signature. This agreement will enable U.S. EPA to correctly complete cleanup at your client's Site. This consent for access provides U.S. EPA, its contractors, agents and employees, and parties performing response actions under an order issued by U.S. EPA (or an inter-agency or settlement agreement entered into by U.S. EPA), with the access needed to perform a Site assessment and any necessary cleanup activities. Please sign both copies of this consent for access, return one signed copy to me and keep the other copy for your own records. Please contact Tom Turner, Associate Regional Counsel, at (312) 886-6613, if you have any questions concerning this matter. Thank you for your continued cooperation.

Sincerely yours,

Mike Harris  
On-Scene Coordinator

Enclosure

CONSENT FOR ACCESS TO PROPERTY  
Property at Swift Ag Chemical Company  
2501 North Kings Highway, Fairmont City, IL - St. Clair County

Name: Swift Ag Chemical Co. (SAC)

Address of Property: 2501 North Kings Highway, IL Superfund  
Remedial Site (St. Clair County)

I consent to officers, employees, contractors, and authorized representatives of the United States Environmental Protection Agency (U.S. EPA) entering and having continued access to the above referenced Site property for the complete performance of the following actions at the Site:

- 1) Develop and implement a Site health and safety plan, a Site security plan, and contingency and air monitoring plans;
- 2) Conduct a site assessment. Characterize and sample the entire site in order to define the extent of contamination;
- 3) Stabilize conditions at the Site. Properly treat, store and/or transport hazardous sources and materials to or for proper storage and/or disposal;
- 4) Remove and properly dispose of (in accordance with U.S. EPA's Off-Site Rule [40 CFR § 300.440]) hazardous sources and materials from all locations at the Site determined to require cleanup by U.S. EPA sampling and characterization personnel.

I realize that these actions taken by U.S. EPA are undertaken pursuant to its response and enforcement responsibilities under the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended, 42 U.S.C. § 9601 et seq.

This written permission is given by me voluntarily, on behalf of myself and any and all other co-owners of this property, with knowledge of my right to refuse and without threats or promises of any kind.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature - Vig Industries, Inc./  
IMC Global or Legal Representative



# U. S. Environmental Protection Agency



## Office of Regional Counsel Region 5

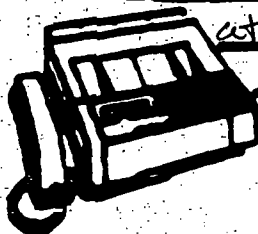
### FACSIMILE TRANSMITTAL FORM

Date: MARCH 21, 2001  
Fax Recipient: MARIAN WHITEMAN, ESQ.  
Dept/Agency: IMC Global Operations, Inc. - Environmental Counsel  
Fax number: 847-1739-1918

Fax Sender: Tom Turner, Esq.  
Dept/Agency: U.S. EPA, ORC, Region 5  
Telephone: 312/886-6613  
Fax Number: 312/886-0747  
Subject: SWIFT AG CHEMICAL Co. Superfund Site / Access

Number of Pages: 4 (w/ cover page)

Comments: Ms. Whiteman: As per our previous communications,  
attached please find the final access agreement.  
Please review and return a signed copy to me asap.  
Thanks.



Tom Turner, Esq.  
U.S. EPA  
ORC  
R5

## TRANSMIT CONFIRMATION REPORT

NO.	:	002	
RECEIVER	:		6302272219
TRANSMITTER	:	U.S.EPA/REGION 5/ORC	
DATE	:	MAR 21'01	8:46
DURATION	:	01'54	
MODE	:	STD	
PAGES	:	04	
RESULT	:	OK	

# U.S. Postal Service

## CERTIFIED MAIL RECEIPT

(Domestic Mail Only; No Insurance Coverage Provided)

### Article Sent To:

Swift Ag Chemical Co. & John Martin Whitehead, Esq. <sup>2</sup> ~~TIME~~  
Global Operations, Inc., 100 South Saunders Rd., Lake Forest, IL  
60045

Postage

\$

.55

Certified Fee

1.90

Return Receipt Fee  
(Endorsement Required)

1.50

Restricted Delivery Fee  
(Endorsement Required)

Total Postage & Fees

\$

3.95



Name (Please Print Clearly) (to be completed by mailer)

Tom Turner, Esq. U.S. EPA, Region 5, K-14 J ORC  
Street, Apt. No., or PO Box No.

77 W. Jackson Blvd.

City, State, ZIP+4

Chicago, IL 60604

7099 3400 0000 9593 2934

**SENDER:**

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

## 3. Article Addressed to:

SWIFT AG CHEMICAL Co.  
c/o: MARIAN WHITEMAN, ESQ.,  
Environmental Counsel  
IMC Global Operations, Inc.  
100 South Saunders Rd.-Ste. 300  
Lake Forest, IL 60045

4a. Article Number 7099-3400-0000  
9593-2934

## 4b. Service Type

- |  |   |
|--|---|
| <input type="checkbox"/> Registered                                | <input checked="" type="checkbox"/> Certified |
| <input type="checkbox"/> Express Mail                              | <input type="checkbox"/> Insured              |
| <input checked="" type="checkbox"/> Return Receipt for Merchandise | <input type="checkbox"/> COD                  |

## 7. Date of Delivery

03-26-01

## 5. Received By: (Print Name)

DON MOTYKA

## 6. Signature: (Addressee or Agent)

X Don Motyka

## 8. Addressee's Address (Only if requested and fee is paid)